Remarks

The present Response is to the Office Action mailed 02/22/2010, made final. Claims 32, 33, and 35-41 are standing for examination.

Response to Arguments

3.   Applicant's arguments filed 22 October 2009 have been fully considered but are not persuasive.

4.   Regarding claims 32 and 37, Applicant argues that the information in O'Leary is not scraped and aggregated by O'Leary's PPP, but directly provided, accessed and saved by the user. The Examiner respectfully disagrees. First, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., scraping) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns,* 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Independent claim 37 does not recite any scraping. Therefore, this argument is not persuasive for claim 37.

Regarding claim 32, there is no active part of the system that performs any scraping. Instead, claim 32 recites a first enterprise hosting integrated transaction services provided for scraping and aggregating personal information specific to an end user, and providing PI and transaction services to an end user." There is no system component that is configured to perform or performs any scraping. Instead, the claim has a first enterprise hosting integrated services "for scraping and aggregating personal information." Even still, as noted in the rejection the PPP enhanced wallet does pull information (column 9, lines 49 thru column 10, line 35; Examiner). Further, such" screen scraping" functionality is old and well known as noted in Applicant's own Background of the Invention and background information on scraping technology.

For these reasons, Applicant's arguments regarding claims 32 and 37 with respect to scraping are not persuasive.

5.   Applicant argues that the prior art fails to teach a plurality of second enterprises maintaining each at least one financial account specific to an end user. The Examiner respectfully disagrees. O'Leary teaches banks that act as the second enterprise (column 10, lines 59 thru column 11, line 3). Further, O'Leary teaches that there can be a plurality of banks by noting the accounts held at the bank as well as account or other DDA accounts and credit cards accounts held at another financial institution (column 11, lines 53 thru column 12, line 8).

        Therefore, this argument is not persuasive.

6.   Applicant argues that the prior art fails to teach that the user instructs the first enterprise to pay a bill using funds from an associated financial account by dragging the indication of the financial account to the indication of the bill or by dragging the indication of the bill to the indication of the financial account. The Examiner respectfully disagrees.

        O'Leary teaches that an interactive software graphical user interface provided by the first enterprise and executable on an end user's appliance and instructing the first enterprise to pay a bill (column 15, line 66 thru column 16, line 35 and column 25, lines 24-41 and column 26, lines 22-59). O'Leary fails to teach the dragging the indication of the account to the indication of the bill or vice-versa.

        Dent teaches a consumer based system and method for managing and paying electronic billing statements in which there exists at least one indication representing a user's financial account (column 3, lines 38-44) and at least one indication representing at least one bill associated with a billing account for which a monetary balance is owed by the user (column 7, line 56 thru column 8, line 2). Dent further teaches instructing bill payment by dragging the indication of the bill to the account (column 8, lines 36 thru column 9, line 20 and Figure 7). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of 0 'Leary to include the drag and drop teachings of Dent since both 0 'Leary and Dent teach account management specifically with billing and it specifies a method for an active interaction method of bill payment that keeps the customer informed of their billing information.

O'Leary and Dent fail to teach dragging the account to the bill. Working At Home teaches personal finance software that helps to manage finances by keeping track of bank accounts, credit card accounts, expenses, taxes and income (page 2, top). One software discussed, Kiplinger's CA-Simply Money contains drag and drop buttons that allow a user to drag their checking account button and drop it on the electric company button to pay the electric bill (page 7, middle). This software therefore teaches dragging the account to the bill. Working At Home further teaches that buttons can be created for a plurality of accounts including bank accounts and credit card accounts, such as checking, savings, credit card and money market accounts (page 7, third paragraph under Kiplinger's heading). The buttons allow for performing basic finance tasks, liking scheduling payments and allow for bill payment by using a bill payment service (page 7, sixth paragraph under Kiplinger's heading). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of 0 'Leary in view of Dent to include the teachings of Working At Home because it allows for the payment of bills by manipulating a graphical user-interface similar to Dent. Since only one account is required in the claim, it would be obvious to one of ordinary skill in the art that dragging the account to the bill, or the bill to the account are obvious modifications since they accomplish the same instructions for payment.

For these reasons, this argument is not persuasive.

7.   For these reasons, independent claims 32 and 37 remain rejected over the prior art and Applicant's arguments are not persuasive.

Applicant's response:

Applicant herein amends claims 32 and 37 to specifically recite that the first enterprise automatically scrapes and aggregates PI from network connected sites. Therefore, the limitation of scraping, as previously argued by applicant, is positively recited in the independent claims and not shown in the art.

Regarding item 5, applicant believes the Examiner is clearly adding subject matter to the art of O'Leary that is clearly not present. Applicant argues that O'Leary teaches

one bank 220 and the user can transfer funds between accounts at the one bank 220. The Examiner's statement that O'Leary teaches banks that act as a second enterprise is subject matter added by the Examiner and not a teaching actually present in the art. Column 10, lines 59 thru column 11, line 3 of O'Leary recites:

> *Using functionality from online banking services, the PPP 60 enhanced Wallet 215 is able to be associated with (linked to) some or all of the accounts maintained by the user at the bank 220. The user is thus able to transfer funds, amounts, value, from one account to another (e.g., to an IPA account 230 from a savings account, or VPL account 235) with ease. Although in the preferred embodiment of the present invention, the IPA 230 and VPL accounts are maintained at*
> *a financial institution (e.g., a bank), it is readily appreciated that any businesses that can attach to the EFT network 270 are capable of maintaining the accounts 230, 235 and performing the operations of the present invention.*

Applicant argues that the above teaching is readily understood by one of normal skill in the art as an enterprise other than the bank is capable of maintaining the accounts. There is no teaching in the art of O'Leary of one enterprise maintaining the DDA account, and a separate enterprise maintaining an IPA account, for example, where the user is enabled to select one or the other to make a payment using the wallet 215. O'Leary specifically teaches:

> *Prior to conducting any online purchases or making any payments using the methods of the present invention, the consumer establishes an Internet Payment Account (IPA) 230 with its bank 220. Alternatively, a DDA account 230 can be used, but this is less preferable. For one reason, it is envisioned that only small payments are to be made from the IPA account 230 and accordingly less funds would be kept in the account as opposed to the funds normally maintained in a DDA account. The IPA account 230 is a specialized account used specifically for electronic commerce in accordance with the present invention. Once the IPA account 230 has been established, the user is able to fund this account 230 from its normal DDA checking or savings accounts, consumer's*

Line of Credit, or credit, or debit card account held by the bank 220 or any other account
from which the consumer can transfer funds (e.g., another DDA account or credit card
*account at another financial institution) (*column 11, lines 53 thru column 12, line 8).

Applicant argues that although the IPA (Internet Pay Anyone) account Of O'Leary
may be funded from other sources via manual transfer by the user, it is the **only account**
available to the user of O'Leary's wallet 215 for making payments. In applicant's
invention, the user has a choice of accounts to make automated payments from separate
enterprises.

Regarding item 6, applicant herein amends claim 32 to specifically recite that the
user, through interaction with the GUI, initiates an instruction from the first enterprise to
pay a bill at one of the plurality of third enterprises using funds from an associated
financial account at one of the plurality of second enterprises by dragging the indication
of the financial account to the indication of the bill or by dragging the indication of the
bill to the indication of the financial account.

Applicant argues that the art of O'Leary only involves two enterprises as the
wallet system is implemented at the bank 220, as described in columns 25-26. The
teaching in column 16 of O'Leary is describing an online purchase from a merchant
without the user generating an instruction to pay a bill. This embodiment of O'Leary
clearly teaches that a user makes a purchase at a merchant site and the merchant site
sends a message for payment to the service and the service initiates the payment from the
IPA account without intervention from the user. Applicant argues that an instantaneous
online purchase at a merchant Website cannot read on initiating an instruction to pay a
bill, as claimed. Therefore, O'Leary in combination with Dent and Working at Home
cannot create the bill pay instruction involving three enterprises via drag and drop
method as claimed in applicant's invention.

Claim Rejections - 35 USC § 103

9.   Claims 32, 33, and 35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Leary et al. (hereinafter O'Leary) U.S. Patent 6,609,113 in view of Dent et al. (hereinafter Dent) U.S. Patent 6,128,603 in further view of Making the Smart Investment In Personal Finance Software, Working At Home (hereinafter Working At Home).

      Regarding claims 32 and 37, O'Leary teaches a billing system for a network, comprising:

      a first enterprise hosing integrated transaction services provided for scraping and aggregating personal information (PI) specific to an end user, and providing PI and transaction services to the end user (column 9, line 9 thru column 10, line 13);

      a plurality of second enterprises maintaining at least one financial account specific to the end user in which the end user has a monetary balance, each of the second enterprises providing account information to the first enterprise (column 10, line 59 thru column 11, line 27 and column 11, line 62 thru column 12, line 7);

      a plurality of third enterprises maintaining a billing account specific to the end user, each of the third enterprises providing billing information to the first enterprise (column 23, lines 63 thru column 24, line 49).

      O'Leary teaches that an interactive software graphical user interface provided by the first enterprise and executable on an end user's appliance (column 9, lines 9-30 and column 26, lines 22-59). O'Leary fails to teach at least one indication representing the user's financial account, and at least one indication representing at least one bill associated with a billing account on which a balance is owed and instructing the first enterprise to pay the bill using funds from the financial account by dragging the indication of the account to the indication of the bill.

      Dent teaches a consumer based system and method for managing and paying electronic billing statements in which there exists at least one indication representing a user's financial account (column 3, lines 38-44) and at least one indication representing at

least one bill associated with a billing account for which a monetary balance is owed by the user (column 7, line 56 thru column 8, line 2). Dent further teaches instructing bill payment by dragging the indication of the bill to the account (column 8, lines 36 thru column 9, line 20 and Figure 7). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of 0 'Leary to include the drag and drop teachings of Dent since both 0 'Leary and Dent teach account management specifically with billing and it specifies a method for an active interaction method of bill payment that keeps the customer informed of their billing information.

O'Leary and Dent fail to teach dragging the account to the bill. Working At Home teaches personal finance software that helps to manage finances by keeping track of bank accounts, credit card accounts, expenses, taxes and income (page 2, top). One software discussed, Kiplinger's CA-Simply Money contains drag and drop buttons that allow a user to drag their checking account button and drop it on the electric company button to pay the electric bill (page 7, middle). This software therefore teaches dragging the account to the bill. Working At Home further teaches that buttons can be created for a plurality of accounts including bank accounts and credit card accounts, such as checking, savings, credit card and money market accounts (page 7, third paragraph under Kiplinger's heading). The buttons allow for performing basic finance tasks, liking scheduling payments and allow for bill payment by using a bill payment service (page 7, sixth paragraph under Kiplinger's heading). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of 0 'Leary in view of Dent to include the teachings of Working At Home because it allows for the payment of bills by manipulating a graphical user-interface similar to Dent. Since only one account is required in the claim, it would be obvious to one of ordinary skill in the art that dragging the account to the bill, or the bill to the account are obvious modifications since they accomplish the same instructions for payment.

Claims 33 and 38, O'Leary teaches that the network is the Internet network (column 9, lines 9-30).

Claim 39, Dent teaches at least two or more indications representing bills due (column 7, lines 56 thru column 8, line 2 and Figure 5). Dent also teaches the use of a checking account in the bill payment and also allows for the cash flow analyzer to recommend at certain times, payment to other accounts such as credit cards (column 10, lines 1-14). This recommendation is an indication of a second account. Work At Home teaches that the buttons represent multiple accounts including bank and credit card accounts (page 7, middle). Work At Home teaches dragging one of the account buttons to the bill desired to pay (page 7, middle). Dent and Work At Home teach instructing bill payment with drag and drop software and both teach the ability to use bank accounts. While Dent teaches recommending using a credit card, Dent fails to actually teach implementing the credit card as drag and drop whereas Work At Home allows for a finance button such as bank account or credit card account to be dragged and drop for payment of a bill. Therefore, the bank account or credit card account button can be dragged for payment. There is sufficient motivation to combine the teachings of O'Leary with Dent and Work At Home because they provide an efficient manner for paying bills.

Claims 35 and 40, wherein the billing information is provided to the service by the third enterprise maintaining a billing account specific to the end user (column 23, lines 63 thru column 24, line 49).

Claims 36 and 41, wherein the billing information is provided to the user and the user enters the billing information to the service utilizing the software (column 23, lines 63 thru column 24, line 49 and column 25, lines 24-41).

Applicant's response:

Applicant herein amends claims 32 and 37 to specifically recite that the first enterprise automatically scrapes and aggregates PI from network connected sites. Therefore, the limitation of scraping, as previously argued by applicant, is positively recited in the independent claims and not shown in the art. Applicant also amends claim 32 to specifically recite that the user, through interaction with the GUI, initiates an

instruction from the first enterprise to pay a bill at one of the plurality of third enterprises using funds from an associated financial account at one of the plurality of second enterprises by dragging the indication of the financial account to the indication of the bill or by dragging the indication of the bill to the indication of the financial account.

Because the Examiner has essentially presented the same rejection provided in the last Office Action, applicant believes the claims, as amended, are patentable for the reasoning and arguments provided in response to the Examiner's "Response to Arguments" section above.   Therefore, claims 32 and 37, as amended, are patentable over the art presented by the Examiner. Claims 33, 35-36 and 38-41 are patentable on their own merits, or at least as depended from a patentable claim.

Summary

As all of the claims, as amended and argued above, have been shown to be patentable over the art presented by the Examiner, applicant respectfully requests reconsideration and the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
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